



08-30

PATENT

JRW ✓

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cudmore, et al.)
Serial No.: 10/770,918) Confirmation No. 1698
Filing Date: February 3, 2004) Art Unit: 3672
For: **System and Method for Optimizing**) Attorney Docket No.: 102.0027 US
Production in an Artificially Lifted Well)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO RESET THE PERIOD FOR REPLY TO
NOTICE OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Dear Sir:

Applicant respectfully requests that the Commissioner consider this Petition to Reset the Period for Reply and waive the fee for requesting an extension of time based on the following facts:

1. The subject application was filed on February 3, 2004. Our return postcard was date-stamped as received by the U.S. Patent and Trademark Office ("PTO") on February 3, 2004 and accorded Serial No. 10/770,918. A copy of the date-stamped postcard from the PTO is attached as Exhibit A.
2. On July 22, 2004, Rhonda Smith, the IP Administrator of Applicant's attorney, determined that the official Filing Receipt had not been received from the PTO, at which time Ms. Smith telephoned the Office of Initial Patent Examination ("OIPE") and inquired about the Filing Receipt.
3. In response to this phone inquiry, M. Young of the OIPE sent a copy of the Filing Receipt to Ms. Smith by fax. Included with the Filing Receipt was a Notice to File Missing Parts of

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8 & 1.10

I hereby certify that this document and its attachments are being sent on the date indicated below to Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450 by:

facsimile to number _____.

first class mail.

Express Mail: Post Office to Addressee No. EV 335954482 US.

August 27, 2004
Date

Rhonda J. Smith
Rhonda J. Smith

08/31/2004 EFLORES 00000001 502475 10770918
01 FC:1460 130.00 DA

Nonprovisional Application, which was originally dated as having been mailed from the PTO on May 3, 2004. A response deadline of two months to July 3, 2004 was set. A copy of this fax transmission from the OIPE is attached as Exhibit B.

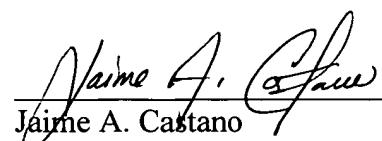
4. According to M. Young, since the official Filing Receipt and the Notice to File Missing Parts was not received until July 22, 2004, and the two-month time period in which to respond had expired, the OIPE should have set a new period for reply.
5. In response to M. Young's request, attached as Exhibit C is a print screen from Applicant's attorney's docketing system indicating that the deadline for filing a response to the Notice of Missing Parts was added to this record on July 26, 2004 by Gabriella Scott of attorney's office after receipt of the official Filing Receipt from the OIPE. Since the time period in which to respond had expired, and based on the statement of M. Young of the OIPE, an extended deadline of **September 22, 2004** (two months from receipt of the Notice to File Missing Parts) was docketed.

Based on this information, Applicant respectfully requests that the Commissioner consider this Petition to Reset the Period for Reply based on the facts presented above with supporting documents, and waive the fee for requesting an extension of time. The resetting of this Period for Reply would then extend the deadline to **September 22, 2004**.

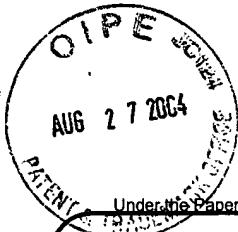
Please charge the Petition fee of \$130 as set forth in 37 CFR 1.17(h) to Deposit Account No. 50-2475. No additional fees are thought to be necessary. However, should such fees be deemed necessary, please charge any fees and credit any overpayment to Deposit Account No. 50-2475.

Respectfully Submitted,

Date: August 27, 2004


Jaime A. Castano
Registration Number 41,660

Intellectual Property Counsel
Schlumberger Reservoir Completions Center
14910 Airline Road
Rossharon, Texas 77583
Phone (281) 285-5476
Fax (281) 285-5537



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/770,918
		Filing Date	February 3, 2004
		First Named Inventor	Julian R. Cudmore
		Art Unit	3672
		Examiner Name	
Total Number of Pages in This Submission	18	Attorney Docket Number	102.0027 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> Copy of Notice to File Missing Parts Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jaime A. Castano
Signature	
Date	August 27, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Rhonda J. Smith		
Signature		Date	August 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

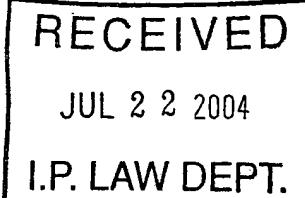


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/770,918	02/03/2004	Julian R. Cudmore	102.0027

Schlumberger Technology Corporation
 Schlumberger Reservoir Completions
 14910 Airline Road
 P.O. Box 1590
 Rosharon, TX 77583-1590



FORMALITIES LETTER



OC000000012512675

Date Mailed: 05/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

DOCKETED UPDATED RESPONSE: Non-Final FINAL 2 mos. 3 mos. Action(s)/Date(s): RESPONSE
09/22/04XL CPA Scan By: RJS

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

EXHIBIT A

Applicant: Julian R. Cudmore, et al. Docket No: 102.0027 February 3, 2004
Serial No: To be assigned
Date Filed: February 3, 2004
For: System and Method for Optimizing Production in an Artificially Lifted Well

Dear Sir:

Kindly acknowledge receipt of the enclosed materials by placing your mailroom stamp on this postcard and returning same. The following items were transmitted by Express Mail on the above date:

1. Utility Patent Application Transmittal
2. Fee Calculation Sheet (in duplicate)
3. Specification, Claims and Abstract
4. Formal Drawings (11 sheets)
5. Information Disclosure Statement with Copies of Citations
6. Post card

22390 U.S. PTO
10/770918



020304

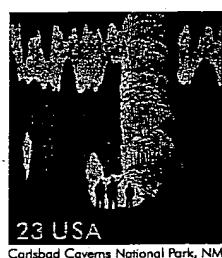
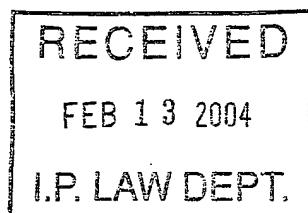
Thank you,

Rhonda J. Smith

Rhonda J. Smith
Express Mail Label No. EV 335954434 US

mtv RJS

BEST AVAILABLE COPY

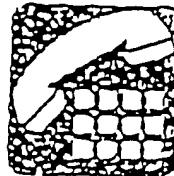


IP Law Department
Schlumberger Reservoir Completions Center
P.O. Box 1590
Rossharon, Texas 77583-1590

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U.S. Department of Commerce
Patent and Trademark Office
Office of Initial Patent Examination (OIPE)

EXHIBIT B



RECEIVED
JUL 22 2004
I.P. LAW DEPT.

DATE: July 22, 04 102.0027

SEND TO: Rhonda Smith

Fax Number: 281-285-5537

Office Telephone Number: _____

FROM: M. Young

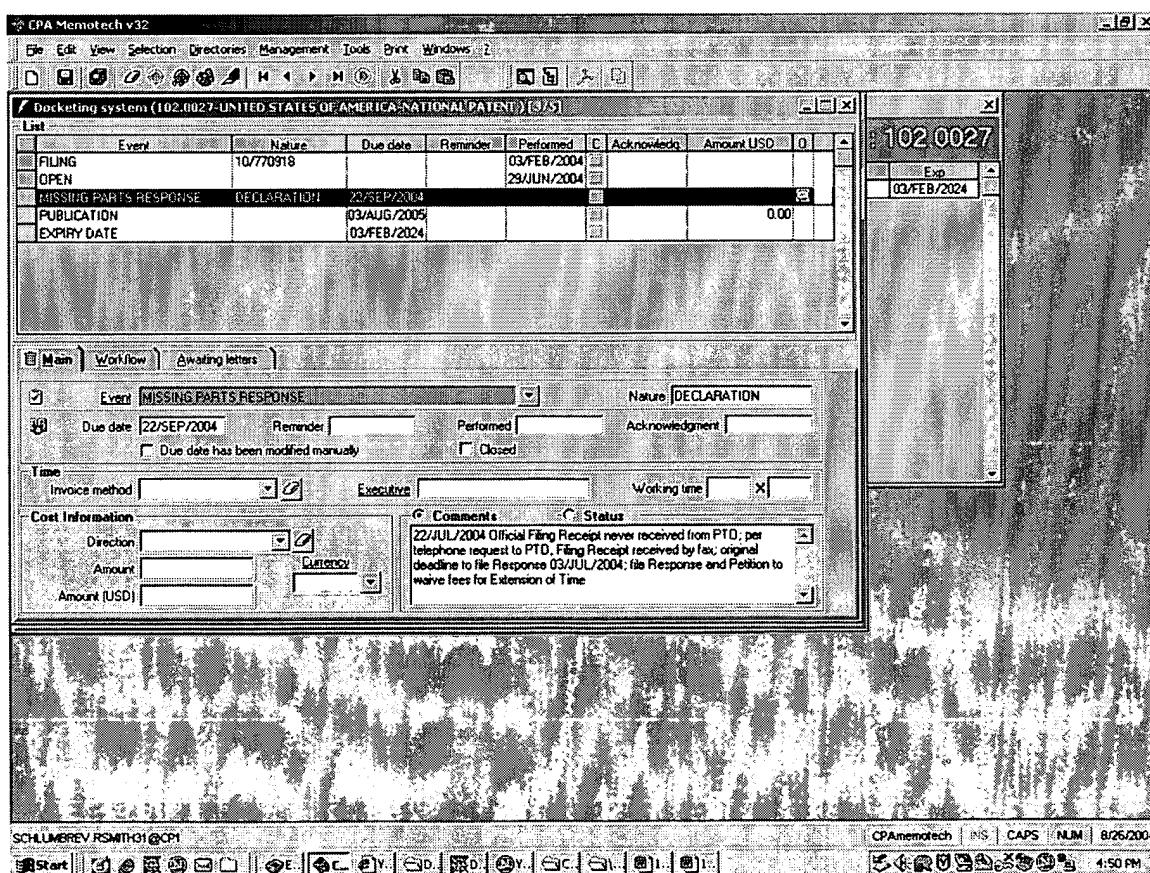
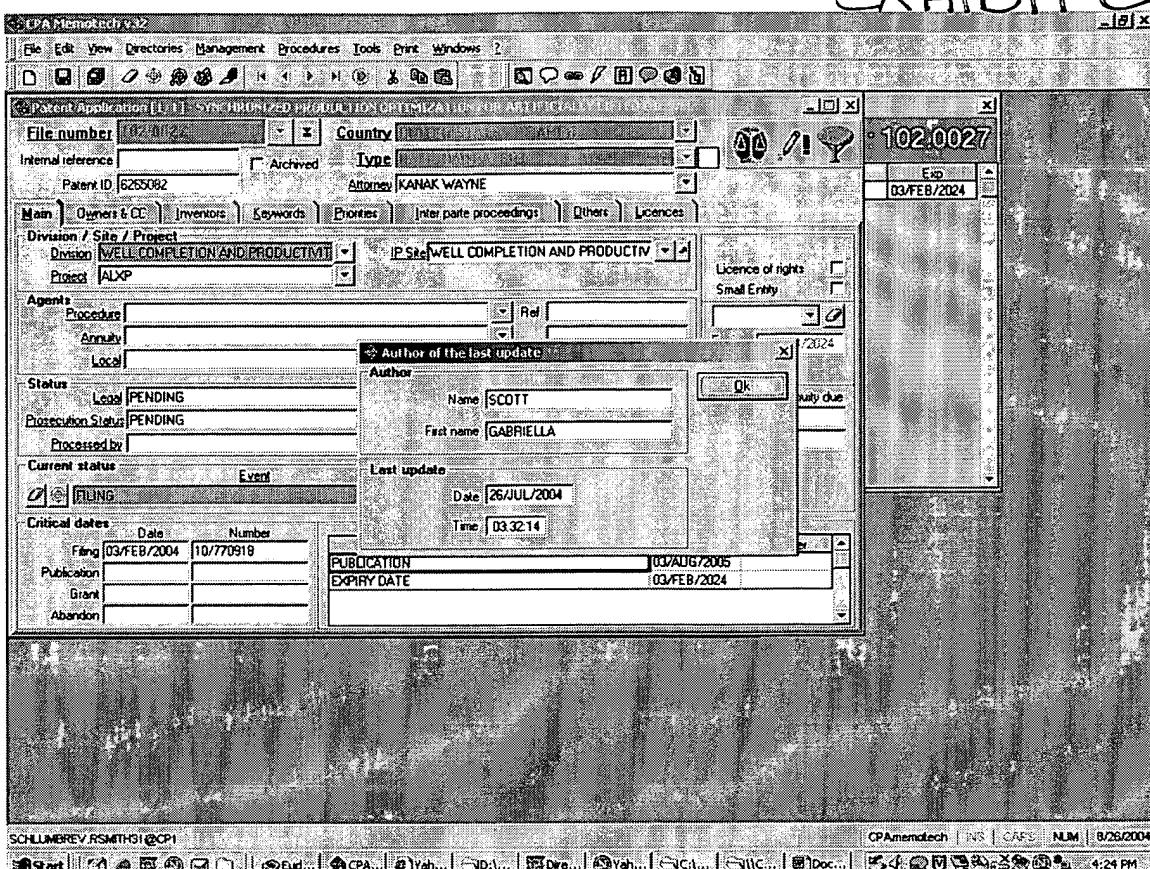
Fax Number: _____

Office Telephone Number: _____

Pages Sent (Including cover sheet) 13

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EXHIBIT C



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